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All such vessels shall be plainly marked for identification with the name of the owner or person offering said milk for sale or delivery in said city, and if said milk be sold and delivered, or sold or delivered by or through another, other than the owner or producer, then said agent's name shall also be plainly marked on or attached to said vessel or container.

The board of commissioners shall from time to time adopt such reasonable rules and regulations with reference to the kind of vessels and method of sealing and delivery of said milk as may be necessary to carry this ordinance into effect, and any and all such rules and regulations shall be a part of this ordinance.

Any firm, person, or corporation failing or refusing to comply with the rules and regulations adopted by said board or who shall violate any of the provisions of this ordinance shall be subject to a penalty of \$25 for each and every such failure or violation.

#### **Milk—Sale of, at Hotels, Restaurants, Lunch Stands, etc. (Ord. Apr. 12, 1916.)**

That every person, firm, or corporation owning, operating, or maintaining any restaurant, lunch stand, or other place of business wherein is sold milk by the glass, or by the small quantity in bottles or glass, to be drunk or used on the premises, shall serve said milk in glasses, cups, or containers, with the quality and kind of such milk so served plainly marked or printed on same, or, in lieu of marking said glasses or containers in which milk is served said persons shall mark in plain printed characters the kind or quality of milk so served upon the large container from which said milk is drawn, and the marked side of said large container shall be so displayed as to be easily seen and observed by any and all customers.

Any person, firm, or corporation refusing to comply with the foregoing ordinance or violating any of its provisions shall be guilty of a misdemeanor and shall be liable to a penalty of \$25 for each and every such offense.

### **BAKERSFIELD, CAL.**

#### **Milk and Milk Products—Production, Care, and Sale. (Ord. 305, Apr. 3, 1916.)**

SECTION 1. That no person, firm or corporation, either by himself or by his agents or employees, shall sell, exchange, or deliver, or offer or expose for sale, exchange, or delivery, within the city of Bakersfield for human consumption any milk, cream, buttermilk or skimmed milk, ice cream, or butter without first having obtained a permit so to do from the health officer of said city as hereinafter described: *Provided*, That dairies at which not more than one cow is kept shall not be subject to the provisions of this ordinance.

SEC. 2. Licenses referred to in section 1 shall be issued by the city health officer only upon the following conditions:

(a) Application therefor shall first be made upon a form prescribed by the health officer, which shall contain at least the following information:

1. Name and address of applicant.
2. Location of any place or places at which such milk, cream, buttermilk or skimmed milk, ice cream, or butter is to be produced or stored or handled.
3. Number of cows from which such milk is being obtained.
4. If obtained from another person, firm, or corporation, the name and address of such person, firm, or corporation, and the location of any and all places at which such milk is being or to be produced, stored, or handled, and the number of gallons of such milk obtained from each such person, firm, or corporation.

5. The manner in which such milk is to be disposed of and, if delivered from house to house, the number of wagons or vehicles used for that purpose.

(b) Applications shall be accompanied by a certificate by a licensed veterinarian approved by the health officer, to the effect that all cows from which any part of such

milk is being obtained are in no way unfit for the production of milk for human consumption. Said certificate shall bear a date not more than six months previous to the date of the application, and at the expiration of six months from the date thereof and of each six months thereafter another similar certificate shall be filed with the health officer to the effect that said cows have again been examined and found not unfit for the production of milk for human consumption.

(c) Inspection by the health officer or his representative of the place or places said milk or other milk product as above enumerated is produced, stored, or handled shall reveal the fact that such milk or milk product is being so produced, stored, or handled in a clean and sanitary manner, and that there is no evidence that any person or object coming into contact with such milk or milk product at any time from its production until its delivery to the ultimate consumer is contaminated by or infected with the germs of any contagious or infectious disease liable to be conveyed by milk or milk product, and that the provisions of this ordinance or of the laws of the State of California regarding the production and handling of milk or milk products are in no instance being or liable to be violated.

SEC. 3. It shall be the duty of each person, firm, or corporation licensed under the provisions of this ordinance to keep an accurate record of all milk delivered, which record shall include the name and address of the customer and the quantity of milk delivered each day, which record shall be open to inspection by the health officer or his representative at all times.

SEC. 4. It shall be the duty of the health officer to inspect or cause to be inspected at intervals to be hereinafter set forth all dairy farms, creameries, or milk depots at which milk or milk products for sale or delivery or exchange in said city is [sic] produced, handled, or stored. The intervals of such inspection shall be determined at the discretion of the health officer: *Provided*, That inspection of such place or places shall be at least once in three months. And upon his discovery at any time of any violation of the provisions of this ordinance or of the laws of the State of California he may, at his discretion, subject to the approval of the city council of said city, revoke the permit of the offender.

SEC. 5. No person or dealer in milk or employee or agent of such dealer in milk or milk products, except such as may sell for consumption upon the premises where sold, shall give, furnish, sell, offer for sale, or deliver within said city any milk, butter-milk, skimmed milk, sour milk, whey, or cream in quantities of less than 1 gallon, unless the same be kept, offered for sale, exposed for sale, sold, or delivered in sanitary, transparent glass bottles or such other receptacle of similar character as is approved by the health officer. Said bottles or receptacles shall be capped immediately after filling the same, which filling and capping shall be done only in a milk house or creamery the sanitary condition of which has been approved by the health officer.

SEC. 6. For the purpose of this ordinance "grade B" milk shall, in addition to the requirements and specifications of such milk, set forth in the laws of the State of California, conform to the following requirements and specifications:

(a) All grade B milk must be pasteurized before being offered for sale except when sold in bulk to the wholesale trade.

(b) It must be kept at a temperature not to exceed 60° F. up to the time of delivery to the pasteurizing plant.

(c) It must be plainly labeled upon the container, in legible characters, in blue ink, "grade B," "raw," or "pasteurized," as the case may be, together with the name of the dealer or producer and the date and hour of pasteurization.

For the purpose of this ordinance "grade A" milk shall, in addition to the requirements and specifications of such milk set forth in the laws of the State of California, conform to the following requirements and specifications:

(a) If pasteurized, it must be rapidly cooled after pasteurization to a temperature not to exceed 50° F., and so maintained until delivered to the ultimate consumer.

(b) It must be plainly labeled upon the container in legible characters in red ink "grade A," "raw," or "pasteurized," as the case may be, together with the name of the dealer or producer.

(c) It must contain at least 3.25 per cent of butter fat.

For the purpose of this ordinance "guaranteed" milk must at all times conform to requirements and specifications for such milk set forth by the laws of the State of California and, in addition, to the following requirements and specifications, which shall be determined by examination at least once each 30 days:

(a) It must contain not more than 100,000 bacteria per cubic centimeter.

(b) It must come from cows free from tuberculosis as determined by tuberculin test, whether sold raw or pasteurized.

(c) It must be plainly labeled upon the container in legible characters, in black ink, "Guaranteed milk," together with the name of the dealer or producer.

SEC. 7. All wagons or conveyances used for the purpose of distributing or delivering milk within the city of Bakersfield shall bear, plainly marked upon the side thereof in legible characters not less than 3 inches high and 1½ inches wide, the permit number under which such milk is being sold or delivered, and the name and address of the dealer.

SEC. 8. The health officer of the city of Bakersfield shall condemn or exclude from sale in the city of Bakersfield any or all milk or cream which is produced in whole or in part on premises to which access, for the purpose of inspection, has been refused the health officer or his assistant. The health officer, or any of his assistants, may seize or confiscate any milk, cream, or other milk products sold, offered for sale, or held with intent to sell within the city of Bakersfield contrary to any section of this ordinance or to any of the provisions of the laws of the State of California covering the production and handling of milk or milk products, and may pour out, color, or denaturize any or all milk, cream, or other milk products so seized, to prevent the use of same for food purposes. The health officer, or any of his assistants, may affix, or cause to be affixed, to any can, receptacle, or vehicle containing any condemned milk, cream, or other milk products a card or tag stating that same has been condemned and the reason therefor. Said card so attached shall be due notice of condemnation. No milk, cream, or other milk products condemned as herein provided shall be used for human food, sold, held, or offered for sale in the city of Bakersfield. The health officer or his assistants shall not be required to take sample of milk or cream which shall show a temperature higher than the allowed temperature specified in this ordinance, but may condemn any or all milk or cream showing a higher temperature than that specified.

SEC. 9. Any person violating any of the provisions of this ordinance shall be punished for the first offense by fine not exceeding \$10 and costs of prosecution, and in default of the payment of any fine or costs the court may imprison such person in the city jail of the city of Bakersfield or the county jail of the county of Kern until such fine is paid, not, however, to exceed 10 days; for a second offense by a fine not exceeding \$50 and costs of prosecution, and in default of the payment of such fine the court may imprison such person in the city or county jail, not, however, to exceed 25 days; and for each subsequent offense by a fine not exceeding \$200 and costs of prosecution, and in default of the payment of such fine the court may imprison such person in the city or county jail, not, however, to exceed 90 days.

SEC. 10. This ordinance shall be in full force and effect 60 days from the date of its passage and publication as required by law, except that the provisions of section 6 shall not become effective until October 1, 1916. All ordinances or parts of ordinances in conflict with the same are hereby repealed.